

Message Text

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PAGE 01 QUITO 02544 202002Z
ACTION OES-06

INFO OCT-01 ARA-06 ISO-00 INT-05 DLOS-09 EB-08 COME-00
L-03 SP-02 CIAE-00 INR-07 NSAE-00 DODE-00 IO-13
ITC-01 TRSE-00 CG-00 DOTE-00 /061 W
-----210145Z 030870 /22

R 201719Z APR 77
FM AMEMBASSY QUITO
TO SECSTATE WASHDC 3989
INFO AMEMBASSY LIMA
AMEMBASSY MEXICO CITY
AMEMBASSY SANTIAGO
AMCONSUL GUAYAQUIL

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E.O. 11652: N/A
TAGS: EFIS, EC
SUBJECT: IMPORTATION OF YELLOWFIN TUNA

REF: (A) STATE 082539; (B) STATE 049988

1. SUMMARY: SENIOR FONOFF OFFICIAL TOLD EMBOFF THAT WHILE GOE WAS AVERSE TO APPLICATION OF PORPOISE LEGISLATION IN PRINCIPLE, IT WAS SEEKING TO COMPLY FOR PRACTICAL REASONS AS WELL AS IN INTEREST OF BROADER BILATERAL RELATIONSHIP. IN ADDITION TO SEEKING OUR ASSISTANCE IN PREPARING SUBMISSION TO NMFS HE ALSO INDICATED THAT GOE MIGHT APPRECIATE US EXPERTISE ON DOMESTIC PORPOISE LEGISLATION. END SUMMARY.

2. UPON RECEIPT OF REF B, EMB INFORMED FONOFF ON MARCH 11 OF NEW US TUNA IMPORTATION REQUIREMENTS. EMB URGED GOE TO STUDY REGULATIONS AND OFFERED OUR FULLEST COOPERATION IN SEEKING CLARIFICATIONS AND INTERPRETATIONS FROM WASHINGTON IN ORDER TO EXPEDITE THE SUBMISSION.

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PAGE 02 QUITO 02544 202002Z

3. HAVING HEARD NOTHING FURTHER FROM GOE AND RECEIVING REF A, POLCOUNS CALLED ON AMB TEODORO BUSTAMANTE, SENIOR FONOFF COUNSELOR ON FISHING/LOS APRIL 19 TO FIND OUT WHAT PROGRESS GOE WAS MAKING TOWARD SUBMISSION. BUSTAMANTE CANDIDLY EXPLAINED THAT THE GENERAL REACTION OF THE INTER-MINISTERIAL FISHING COMMITTEE WHICH TOOK UP THE MATTER WAS THAT THE US WAS ARROGANTLY APPLYING REGULATIONS WHICH ADVERSELY

AFFECTED FOREIGN COUNTRIES WITHOUT REGARD FOR THEIR CONSEQUENCES. IN PRINCIPLE, SAID BUSTAMANTE, GOE BELIEVES THAT US REGULATIONS IMPINGE ON ECUADOR'S TERRITORIAL SOVEREIGNTY SINCE, IN EFFECT THEY DICTATE HOW ECUADOREANS SHALL COMPORT THEMSELVES IN THEIR OWN WATERS. BUSTAMANTE INDICATED THAT THERE WAS A MINORITY VIEW ON THE COMMITTEE THAT GOE SHOULD NOT ATTEMPT TO COMPLY WITH REGULATIONS AND FIND OTHER MARKETS.

4. BUSTAMANTE CONTINUED, A COOLER, MAJORITY OPINION PREVAILED. THREE ARGUMENTS SWAYED THE COMMITTEE 1) THAT, ALTHOUGH US ACTION WAS PEREMPTORY AND MAY CONFLICT WITH ECUADOREAN SOVEREIGNTY INTERPRETATION ITS AIM WAS A NOBLE ONE WHICH ECUADOR SHARED, I.E., THE CONSERVATION OF PORPOISES, 2) TO STAND ON PRINCIPLES WOULD BE DETRIMENTAL TO ECUADOREAN FISHING INTERESTS, AND 3) GOE WANTED TO AVOID FURTHER UNPLEASANTNESS WITH US ON ANY ISSUE.

5. AS A RESULT GOE WAS CURRENTLY ENGAGED IN A MULTI-PRONGED APPROACH TO COPE WITH ISSUE. FIRST, AMB ALFREDO LUNA TOBAR HAD BEEN TASKED WITH STUDYING US REGULATIONS TO DETERMINE HOW ECUADOR CAN QUALIFY. SECOND, ECUADOR WAS ALSO CONSIDERING DRAFTING OWN MARINE MAMMAL LEGISLATION WHICH WOULD BE ALONG LINES OF US LAWS AND WHICH WOULD GIVE IMPRESSION THAT ECUADOR WAS TAKING INITIATIVE ON ISSUE AND NOT BEING PRESSURED UNSEEMLY BY US. THIRD, GOE WAS EXAMINING POSSIBILITY OF PROMOTING AN INTERNATIONAL PORPOISE PROTECTION CONVENTION WHICH WOULD MULTILATERALIZE FISHING REGULATIONS AND THUS REMOVE STING FROM BILATERAL PROBLEMS. BUSTAMANTE HASTENED TO ADD THAT ONLY FIRST WAS IN MORE THAN RUDIMENTARY STAGE.
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PAGE 03 QUITO 02544 202002Z

6. BUSTAMANTE APPRECIATED USG'S INTEREST IN GOE PROGRESS IN COMPLYING AND SUGGESTED THAT EMB AND AMB LUNA GET TOGETHER SHORTLY TO DETERMINE HOW USG COULD COOPERATE IN PREPARING ECUADOREAN SUBMISSION. BUSTAMANTE SUGGESTED OBLIQUELY THAT THE PRESENCE OF A USG SPECIALIST IN PORPOISE LEGISLATION MIGHT BE HELPFUL, NOT ONLY TO ASSIST IN THE PREPARATION OF THE SUBMISSION, BUT ALSO TO OFFER ADVICE ON FUTURE ECUADOREAN PORPOISE LEGISLATION.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: POLICIES, LAW, TUNA, IMPORTS, GOVERNMENT REACTIONS, INTERGOVERNMENTAL COOPERATION
Control Number: n/a
Copy: SINGLE
Sent Date: 20-Apr-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Drafter: n/a
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Executive Order: N/A
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Expiration:
Film Number: D770138-0027
Format: TEL
From: QUITO
Handling Restrictions: n/a
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ISecure: 1
Legacy Key: link1977/newtext/t19770438/aaaabgif.tel
Line Count: 107
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Subject: IMPORTATION OF YELLOWFIN TUNA
TAGS: EFIS, ETRD, EC, US
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Type: TE
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